

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Jawaun Fraser,

Plaintiff,

STIPULATION

20-CV-4926 (CM) (OTW)

-against-

The City of New York, Undercover Officer Number 84,
Detective Matthew Regina, and Detective Jason Deltoro,
Individually and as Members of the New York City Police
Department,

Defendants.

WHEREAS, plaintiff Jawaun Fraser commenced this action by filing a complaint on or about June 26, 2020, alleging that defendants violated plaintiff's federal civil rights; and

WHEREAS, defendants City of New York, Undercover Officer Number 84, Detective Matthew Regina and Detective Jason Deltoro denied any and all liability arising out of plaintiff's allegations; and

WHEREAS, on March 21, 2023, following a jury trial on claims of (1) denial of the right to a fair criminal trial due to evidence fabrication against Undercover Officer Number 84, Detective Regina and Detective Deltoro; (2) denial of the right to a fair criminal trial due to withholding of Brady material against Undercover Officer Number 84 and Detective Deltoro; and (3) municipal liability against defendant City of New York that it had a policy, custom, and/or practice that was a substantial cause of the withholding of Brady material at plaintiff's criminal trial, each of the defendants was adjudged liable to plaintiff as to all of plaintiff's claims and a judgment was entered on March 28, 2023, in the amount of \$1,925,000;

WHEREAS, the plaintiff is entitled to recover his legal fees and costs from the defendants pursuant to 42 USC § 1988; and

WHEREAS, the parties now desire to resolve the remaining issues raised in this litigation; and

WHEREAS, the parties have authorized their counsel to resolve this matter on the terms set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The City of New York hereby agrees to pay plaintiff, Jawaun Fraser, the sum of Three Million Six Hundred Seventy Five Thousand (\$3,675,000) in full satisfaction of the following:

- (i) The Judgment, dated and filed on March 28, 2023, in the amount of One Million Nine Hundred Twenty-Five Thousand Dollars (\$1,925,000); and
- (ii) Plaintiff's costs, expenses, and attorneys' fees in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000). This amount represents full satisfaction of any claim by plaintiff for costs, expenses, and attorneys' fees in this matter.

2. Defendants shall pay the amounts specified in paragraph two (2) above, and issue such payment in the form of a check or draft payable to the Law Offices of Joel B. Rudin, P.C.

3. Plaintiff's counsel, the Law Offices of Joel B. Rudin, P.C., shall serve upon the City of New York's attorney at 100 Church Street, New York, New York 10007, an IRS Form W-9.

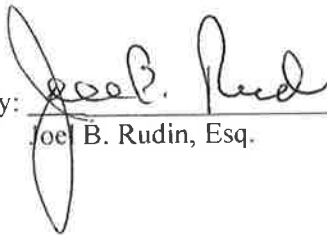
4. Pursuant to this agreement, defendants agree to withdraw their pending notice of appeal.

5. This agreement resolves all the remaining issues in this matter.

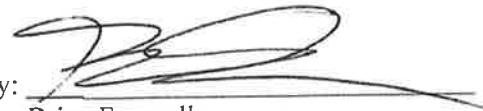
6. The District Court shall retain jurisdiction over this action for the purpose of enforcing the terms of this Stipulation.

Dated: New York, New York
June 26, 2023

Joel B. Rudin, Esq.
Law Offices of Joel B. Rudin, P.C.
Attorney for Plaintiff
Carnegie Hall Tower
152 West 57th Street, 8th Fl.
New York, N.Y. 10019

By: 
Joel B. Rudin, Esq.

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the City of New York
Attorney for Defendants City of New York,
Undercover Officer Number 84, Detective
Regina, and Detective Deltoro
100 Church Street
New York, New York 10007

By: 
Brian Francolla

SO ORDERED:

COLLEEN McMAHON, U.S.D.J.

Dated: _____, 2023